

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Ker N.,

No. 21-cv-2222 (KMM/LIB)

Plaintiff,

v.

**ORDER**

Kilolo Kijakazi, Acting Commissioner  
of Social Security,

Defendant.

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The above matter comes before the Court upon the Report and Recommendation (R&R) of United States Magistrate Judge Leo I. Brisbois, dated January 4, 2023. The R&R recommends that Plaintiff's Motion for Summary Judgment be denied and Defendant's Motion for Summary Judgment be granted. No objections have been filed to that R&R.

The Court reviews de novo any portion of the R&R to which specific objections are made. 28 U.S.C. § 636(b)(1); D. Minn. LR 72.2(b). In the absence of objections, the Court reviews the R&R for clear error. *Nur v. Olmsted County*, 563 F. Supp. 3d 946, 949 (D. Minn. 2021) (citing Fed. R. Civ. P. 72(b) and *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)). Based on a careful review of the R&R and the record in this case, the Court finds no clear error.

Accordingly, IT IS HEREBY ORDERED that:

1. The Report and Recommendation [ECF No. 33] is ACCEPTED.

2. Plaintiff's Motion for Summary Judgment [ECF No. 22] is DENIED.
3. Defendant's Motion for Summary Judgment [ECF No. 25] is GRANTED.
4. The decision of the Commissioner of Social Security is AFFIRMED.

**Let Judgment Be Entered Accordingly.**

Date: **February 27, 2023**

*s/ Katherine M. Menendez*

Katherine M. Menendez  
United States District Judge